DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 14 have been considered but are moot in view of the new ground(s) of rejection.

Priority

2. Applicant's claim for the benefit of prior-filed applications under 35 U.S.C 120 is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

The disclosure of the prior-filed application, 07/589205, fails to provide adequate support under 35 U.S.C. 112 for claims 14-18, 29-32, and 35, of this application. In particular, limitations referring to "source" identifier, "video conferencing," "packet order," "action identifier," "interrupt," "assigned processor," "addressable processors," "destination address," and "origination" information are not supported for claims 14-18 and 29-35 in view of the 07/589205 application.

Support for claims 18, 29, and 30, and in particular, limitations referring to "video conferencing" is found in the 07/754932 non-provisional application.

Claims 14-17, 31, 32, and 35 are not supported, as in the prior-filed application, 07/754932, does not provide adequate support for limitations referring to "source" identifier, "packet order," "action identifier," "interrupt," "assigned processor," "addressable processors," "destination address," and "origination" information.

Support for claims 14, 29-32, and 35 and in particular, limitations referring to "source" information, "assigned processor," "addressable processors," "origination" information, is found in the 08/056958 non-provisional application.

Claims 15-17 are not supported, as in the prior-filed applications, 08/056958, 08/318982, 08/660659, and 09/475719, do not provide adequate support for limitations referring to "packet order," "action identifier," "interrupt," or "destination address".

Support for claims 14-17 and 29-31, and in particular, limitations referring to "packet order," "action identifier," "interrupt," and "destination address" is found in the 60/391298 provisional application.

Claims 14-18 and 29-35 shall be examined upon a priority date of 25 June 2002.

Claim Objections

3. Claim 33 is objected to because of the following informalities: Line 2, "request to the multimedia device" needs to be changed to --request to the media device--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 14, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kassatly (US 5,157,491) in view of Stifle (US 4,633,462) and further in view of Martinez (US 4,750,036).

Regarding claim 14, Kassatly teaches a system for multimedia transmission of data in a cable television network (Fig. 8, el. 204; Col. 12, lines 54-58), the system for multimedia transmission comprising:

a multimedia device, i.e. Transmitter (Fig. 8, el. 204); and

a set-top box, i.e. Receiver (Fig. 8, el. 202);

wherein the multimedia device has an input port for receiving a multimedia signal, i.e. from camera through comparator system to the Transmitter (Col. 15, lines 38-41; Col. 16, lines 7-10; Fig. 17),

an encoder for compressing a representation of the multimedia signal, (Fig. 8, el. 216, 218, 220; Col. 13, lines 58-68),

a packetizer for packetizing the compressed representation of the multimedia signal (Col. 10, lines 54-58), and

an output port, i.e. from the Transmitter to the Receiver (Fig. 8, el. 202, 204), for sending to the set-top box a packetized compressed digital representation of the multimedia signal, (Fig. 8, el. 216, 218, 220; Col. 13, lines 58-68; Col. 10, lines 54-58);

wherein the set-top box includes an input port for receiving the packetized compressed digital representation of the multimedia signal (Fig. 8, el. 202, 204; Col. 14, lines 5-7).

Kassatly does not clearly teach the set-top box forwards the multimedia signal to the assigned processor at the headend of the cable television network over the negotiated connection, and packetizing the multimedia signal with header information as to origination and packet order.

Stifle teaches a set-top box, i.e. subscriber decoder unit, forwards a multimedia signal to a headend of a cable television network (Col. 8, lines 17-28), and

packetizing the multimedia signal with header information as to origination and packet order, i.e. continuity index/packet number, and source, i.e. subscriber address (Col. 8, lines 5-13; Col. 9, lines 45-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kassatly's broadcasting system to distribute packetized multimedia data to Stifle's subscriber decoder unit for distribution to a headend of a cable television network so to enable the use of an existing CATV network instead of implementing a new network which could be costly and include adding a header with a subscriber address and a packet number from Stifle's packetizing process so to enable data loss detection and origination information from a set-top box to headend in a video teleconferencing system.

Kassatly in view of Stifle does not clearly teach establishing an interactive session with an assigned processor selected from a plurality of processors at a headend of the cable television network by negotiating a connection, and the set-top box forwards the multimedia signal to the assigned processor at the headend of the cable television network over the negotiated connection.

Martinez teaches a plurality of host computers, inherently containing at least one processor each, in communication with a television broadcasting station that create a connection between subscriber units that can be used for video conferencing, wherein a packet from a transmitting subscriber is received and forwarded to a host computer based on a destination address included in the transmission where it is then forwarded to another subscriber (Col. 2, lines 51-63; Col. 7, lines 27-41; Col. 10, lines 10-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kassatly in view of Stifle to include establishing an interactive session with an assigned processor selected from a plurality of processors at a headend of the cable television network by negotiating a connection, and the set-top box forwards the multimedia signal to the assigned processor at the headend of the cable television network over the negotiated connection, as taught by Martinez, for the purpose of faster processing of data at the head-end site by delegating data to separate processors.

Regarding claim 15, Kassatly (Col. 13, line 55-Col. 14, line 24; Col. 15, line 34-Col. 16, line 36; Col. 28, lines 19-31) in view of Stifle in view of Martinez teaches the multimedia device generates and sends an interrupt signal to the set-top box prior to the set-top box receiving the packetized compressed digital representation of the multimedia signal.

Regarding claim 17, claim is analyzed with respect to claim 15.

6. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kassatly in view of Stifle in view of Martinez and further in view of Tompkins (US 4,686,698).

Regarding claim 16, Kassatly in view of Stifle in view of Martinez teaches all elements of claim 14.

Kassatly in view of Stifle in view of Martinez does not clearly teach the multimedia device further includes an action identifier for indicating an interactive session type.

Tompkins teaches an action identifier for indicating an interactive session type, i.e. System ID (Col. 41, lines 39-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kassatly in view of Stifle in view of Martinez to have an action identifier for indicating an interactive session type in the multimedia device so to enable quicker processing at the multimedia device.

Regarding claim 18, Kassatly (Col. 14, lines 5-7; Col. 15, lines 35-42) in view of Stifle in view of Martinez in view of Tompkins (Col. 41, lines 39-56) teaches the interactive session type is a video conferencing session.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kassatly in view of Martinez.

Regarding claim 29, Kassatly teaches a system for video conferencing (Fig. 8, el. 204; Col. 1, lines 27-47), the system comprising:

a multimedia device, i.e. Transmitter (Fig. 8, el. 204), having an input port for receiving audio and video input from a camera and a microphone, i.e. from camera through comparator system to the Transmitter (Col. 6, lines 31-37; Col. 15, lines 38-41; Col. 16, lines 7-10; Fig. 17),

the multimedia device includes an encoder for compressing the audio and video input (Fig. 8, el. 216, 218, 220; Col. 13, lines 58-68),

a packetizer for packetizing the encoded audio and video input with header information as to origination and packet order (Col. 10, lines 54-58), and

an output, i.e. from the Transmitter to the Receiver (Fig. 8, el. 202, 204, 216, 218, 220; Col. 13, lines 58-68; Col. 10, lines 54-58);

a set-top box, i.e. Receiver (Fig. 8, el. 202), coupled to the output of the multimedia device and connected to a user's television, i.e. television screen (Fig. 8; Col. 14, lines 5-15),

the set-top box receiving the packetized compressed audio and video input from the multimedia device (Fig. 8, el. 202, 204; Col. 14, lines 5-15).

Kassatly does not clearly teach the set-top box establishes an interactive session over a communications link with an assigned one of the plurality of processors at the cable headend; wherein after an interactive session is established between the processor at the associated address, the processor runs a video conferencing program, receives the packetized and compressed audio and video input, and directs the packetized and compressed audio and video input to a designated destination address, and sends received audio and video to the set-top box for display on the user's television.

Martinez teaches a video conferencing network using a head-end with a plurality of host computers, inherently containing at least one processor each, in communication with a television broadcasting station that creates an interactive session between subscriber units, wherein a packet from a transmitting subscriber is received and forwarded to a host computer based on a destination address included in the transmission where it is then forwarded to another subscriber (Col. 2, lines 51-63; Col. 7, lines 27-41; Col. 10, lines 10-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kassatly to include the set-top box establishes an interactive session over a communications link with an assigned one of the plurality of processors at the cable headend; wherein after an interactive session is established between the processor at the associated

address, the processor runs a video conferencing program, receives the packetized and compressed audio and video input, and directs the packetized and compressed audio and video input to a designated destination address, and sends received audio and video to the set-top box for display on the user's television, as taught by Martinez, for the purpose of a quicker, more centralized video conferencing process.

8. Claims 30 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez in view of Kassatly.

Regarding claim 30, Martinez teaches a method for video conferencing (Col. 2, lines 51-62; Col. 7, lines 27-41), the method comprising:

receiving at a cable headend a request for a video conference from a set-top box within a cable television network, i.e. receiving a packet with a subscriber destination address (Col. 10, lines 27-51);

negotiating a connection between the set-top box and an assigned processor at the cable headend, i.e. the packet is forwarded to the assigned host computer according to its destination address (Col. 10, lines 27-51);

starting video conferencing software at the assigned processor, i.e. the host computer establishes a virtual circuit to enable a subscriber-to-subscriber connection (Col. 10, lines 10-51);

receiving at the assigned processor a destination address for the video conference (Col. 10, lines 27-51);

sending via the negotiated connection video to the assigned processor, i.e. using the virtual circuit to have a video conference (Col. 2, lines 51-62; Col. 7, lines 27-41; Col. 10 lines 10-51);

coordinating video transmissions using the video conferencing software on the assigned processor (Col. 10, lines 10-51); and

forwarding by the assigned processor the video to the destination address (Col. 10, lines 10-51).

Martinez does not clearly teach outputting video from a media device to the set-top box.

Kassatly teaches outputting video from a multimedia device, i.e. Transmitter, to a set-top box, i.e. Receiver (Fig. 8, el. 202, 204, 216, 218, 220; Col. 13, lines 58-68; Col. 10, lines 54-58; Col. 14, lines 5-15);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martinez to include outputting video from a media device to the set-top box, as taught by Kassatly, for the purpose of having a separate set-top box that can easily be replaced or upgraded.

Regarding claim 33, Martinez in view of Kassatly teaches sending a request to the multimedia device in communication with the set-top box to begin capturing video, i.e. starting or connecting to a video teleconference (Kassatly-Col. 15, line 7-Col. 16, line 36; Col. 28, lines 19-31).

Regarding claim 34, Martinez in view of Kassatly teaches encoding the video in the media device prior to packetizing the video (Kassatly-Fig. 8, el. 216, 218, 220; Col. 10, lines 49-58; Col. 13, lines 58-68).

Regarding claim 35, Martinez in view of Kassatly teaches assigning a processor from a plurality of processors at the headend (Martinez-Col. 10, lines 10-51).

9. Claims 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez in view of Kassatly and further in view of Stifle.

Regarding claim 31, Martinez in view of Kassatly teaches all elements of claim 30.

Martinez in view of Kassatly further teaches packetizing the video prior to outputting the video from the media device (Kassatly-Col. 10, lines 54-58).

Martinez in view of Kassatly does not clearly teach header information as to source and packet order.

Stifle teaches packetizing video with header information as to source and packet order, i.e. continuity index/packet number, and source, i.e. subscriber address (Col. 8, lines 5-13; Col. 9, lines 45-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martinez in view of Kassatly to include packetizing the video with header information as to source and packet order, as

taught by Stifle, for the purpose of data loss detection and addressing information for a more reliable video conferencing session.

Regarding claim 32, Martinez in view of Kassatly teaches all elements of claim 30.

Martinez in view of Kassatly in view of Stifle teaches all elements of claim 31.

Martinez in view of Kassatly further teaches sending from the assigned processor a request for a video stream to the set-top box, i.e. creating a virtual circuit between subscribers for use with video conferencing (Martinez-Col. 10, lines 10-51; Kassatly- Col. 15, line 7-Col. 16, line 36; Col. 28, lines 19-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martinez in view of Kassatly to include using the header information as to source in a packet, as taught by Stifle, for sending a request for a video stream from the assigned processor to the set-top box for the purpose of data loss detection and addressing information for a more reliable video conferencing session.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEREMY DUFFIELD whose telephone number is (571)270-1643. The examiner can normally be reached on Mon.-Thurs. 8:00 A.M.-5:30 P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3 June 2008
JSD

/Scott Beliveau/
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